

**MINUTES OF THE BRIDGEWATER TOWNSHIP COUNCIL
SEPTEMBER 18, 2017 COUNCIL CHAMBERS**

The Township Council of the Township of Bridgewater, County of Somerset, State of New Jersey, convened in a regular session on Monday, September 18, 2017 at 7:30 p.m. in Council Chambers in the Municipal Complex, Bridgewater, New Jersey 08807.

Council President Kurdyla:

Notice of Meeting

In compliance with the Open Public Meetings Act of New Jersey, adequate notice of this meeting was provided on January 9, 2017 by sending written and electronic notice to the Courier News and the Star Ledger, posting on the Township website and on the bulletin board in the Municipal Building, and filing with the Township Clerk.

On call of the roll, the following Council members were present:

Matthew C. Moench
Howard Norgalis (absent)
Filipe Pedroso
Council Vice President Christine Henderson Rose
Council President Allen Kurdyla

Also Present: Mayor Daniel J. Hayes, Jr.
 James T. Naples, Township Administrator
 William B. Savo, Township Attorney
 Linda J. Doyle, Township Clerk

Council President Kurdyla led the audience in the Pledge of Allegiance.

Closed Session

BE IT RESOLVED, by the Bridgewater Township Council that this body will now hold a closed meeting to discuss contract negotiations.

When and if the matters discussed become public record, this will be made known to the public at that time.

The public is excluded from said meeting and further notice thereof is dispensed with all in accordance with Sections 8 and 4a of the Open Public Meetings Act.

On the motion of Councilwoman Rose, seconded by Councilman Moench, Council convened in closed session at approximately 7:32 p.m.

A copy of resolution [#17-09-18-266](#) is appended to the official minutes.

On the motion of Councilman Moench, seconded by Councilwoman Rose, the meeting reconvened to open session at 7:47 p.m.

Minutes

SEPTEMBER 7, 2017

These minutes will be presented for approval at the next Council meeting.

Council Reports

Councilman Moench:

- Attended the 9-11 memorial service at Town Hall
- Attended the Somerset regional animal shelter fundraiser at the Trump National Golf Club
- Attended the installation of Pastors at the Bridgewater United Methodist Church
- Attended the Martinsville Community Center fall festival
- Attended the Jewish Community Center's "Touch-a-Truck and Dog Day at the J" event

Councilman Pedroso

- Attended the 9-11 memorial service here at Town Hall
- Attended the Somerset County Regional Partnership meeting on the 14th
- Attended the Martinsville Community Center fall festival

Councilwoman Rose:

- Advised the opening of Middle Brook Crossing is scheduled for late March/early April of 2018
- Attended the Martinsville Community Center fall festival. The friends of Bridgewater Inc. was given a table at this event and were able to recruit three (3) new members
- Went to the installation of the new Pastors at the Bridgewater United Methodist Church
- The Elks lodge completed their collections for the victims of hurricane Harvey which was sent to Texas last Tuesday. They are currently in the midst of collections for the victims of hurricane Irma in Florida and possibly be collecting for hurricane Maria in Puerto Rico

Council President Kurdyla

- Nothing new to report.

Mayor's Reports

Nothing new to report.

Discussion

VANDERHAVEN FARMS

James J. O'Donnell was present of behalf of the Vanderhaven Farms Association. He explained there is a pond at Vanderhaven Farm property. For years, they have had a "No-Trespassing" sign and fence around this area as non-residents are not allowed to fish on this pond due to liability issues. Last month, there were three (3) different incidences of trespassers that turned hostile and the police were called to intervene.

Mr. O'Donnell stated their request is for an Ordinance that would allow Bridgewater Police to patrol the area and issue summons.

Following a lengthy discussion, Council was in consensus that Vanderhaven Farms Association representatives will meet with Township Administrator Naples and Police Chief Nicaretta to determine best way to move forward.

**Public
Comment**

On motion of Councilwoman Rose, seconded by Councilman Moench, the meeting was opened to the public.

Members of the public wishing to address the Council on any matter will be allowed two minutes to speak, unless there are unusual circumstances.

No one wished to be heard.

On motion of Councilman Moench, seconded by Councilwoman Rose, the public comment portion was closed.

**Introduction
of
Ordinances**

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER 1) CREATING A NEW SECTION 126-318.1 ENTITLED "OFFICE, RESEARCH AND DEVELOPMENT (OR/D) ZONE" WITHIN CHAPTER 126 (LAND USE) OF THE MUNICIPAL CODE OF THE TOWNSHIP OF BRIDGEWATER, 2) AMENDING CERTAIN ANCILLARY ORDINANCES RELATED TO THE CREATION OF THIS NEW ZONE AND 3) AMENDING THE ZONING MAP TO REZONE CERTAIN PORTIONS OF LOTS 17, 18 & 19 IN BLOCK 483 ON THE BRIDGEWATER TOWNSHIP TAX MAP FROM THE ZONING DISTRICT KNOWN AS THE SPECIAL ECONOMIC DEVELOPMENT (SED) ZONE, SECTION 126-320 OF CHAPTER 126 (LAND USE), TO THIS NEWLY CREATED ZONING DISTRICT TO BE KNOWN AS THE OFFICE, RESEARCH AND DEVELOPMENT(OR/D) ZONE," SECTION 126-318.1 HEREIN, SO AS TO BRING IT ALL INTO CONFORMANCE WITH THE TOWNSHIP 2016 MASTER PLAN, AMENDMENT TO THE LAND USE ELEMENT AND RE-EXAMINATION REPORT AND ITS ADOPTION BY THE TOWNSHIP PLANNING BOARD

Township Planner Doyle explained the need for this Ordinance as follows:

The Council adopted regulations regarding the Redevelopment Area known as the Center of Excellence which is a portion of Block 483 Lots 17, 18 and 19. Prior

to its being designated as a Redevelopment Area, the entirety of the lots were in the SED zone. After the area was designated as an Area in Need of Redevelopment, the Council rezoned the portion of the lots as the Redevelopment Special Economic and Employment Development District (R-SEED) zone.

The Redevelopment area lies along Route 202-206 North and is the easternmost portion of Block 483 Lots 17, 18 and 19. To the west of the Redevelopment Area is the remainder of Block 483 Lots 17, 18 and 19 which are collectively comprised of an established industrial research and development campus. This portion of land still remains in the SED zone, although it no longer meets the development standards for the SED zone.

The proposed ordinance addresses the need to bring these 'backlands' into conformance with their current use and the geometry of the site. The proposed ordinance achieves this objective.

The benefits of the ordinance amendment include:

1. Specific regulations for the OR/D zone will define the specific parameters under which the remaining portion of the SED zoned lands can operate. Since there is another location in town where the SED is located, a new zone is needed to assure consistency with the existing uses and the need for conformance with the zoning ordinance.
2. The development regulations for the OR/D zone will assure that the industrial research and development corporations will be able to continue without being burdened with conflicting interpretations on the use and intensity of use.

Township Planner Doyle fielded questions from the governing body. Councilman Pedroso explained that although he does not have an issue with the uses on this zone, he does have an issue with the approval of the redevelopment plan that took place last year. Being he feels this area is already overdeveloped, he would prefer that the applicant is forced to go to the zoning board for future considerations to develop this property rather than approving the request to re-zone it.

On motion of Councilwoman Rose, seconded by Councilman Moench, the foregoing Ordinance was proposed. The vote was as follows:

Councilman Moench	Aye
Councilman Norgalis	Absent

Councilman Pedroso	Nay
Council Vice-President Rose	Aye
Council President Kurdyla	Aye

THE ORDINANCE WAS INTRODUCED.

A copy of resolution [#17-09-18-267](#) is appended to the official minutes

Linda J. Doyle, Township Clerk read the following report:

BE IT FURTHER RESOLVED, that the said pending ordinance be passed on first reading and advertised as required by statute fixing the 16th day of October, 2017, at 7:30 p.m. prevailing time on said day as the time and the Bridgewater Township Municipal Court Chambers at 100 Commons Way in said Township as the place for hearing and final action; and

FURTHER RESOLVED that the Township Clerk shall forthwith post on the bulletin board in the Township Municipal Building at 100 Commons Way, a true copy of said ordinance and make copies available to members of the general public and spread the same upon the minutes of the meeting.

FURTHER RESOLVED, that the Township Clerk forward this ordinance to the Bridgewater Township Planning Board for their meeting to be held September 25, 2017 to review and prepare a recommendation.

Resolutions

Council President Kurdyla called for a consent vote on the following resolutions:

EXTENDING SUNDAY HOURS OF OPERATION FOR PLENARY RETAIL DISTRIBUTION LICENSES FOR SUNDAY, DECEMBER 24, 2017 AND SUNDAY, DECEMBER 31, 2017

DEDICATION BY RIDER RESOLUTION TO ESTABLISH RECREATION TRUST FUND

DEDICATION BY RIDER RESOLUTION TO ESTABLISH DONATIONS-ACCEPTANCE OF BEQUESTS AND GIFTS

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER THEIR 2018 MUNICIPAL AID PROGRAM FOR THE COUNTRY CLUB ROAD IMPROVEMENT PROJECT - SECTION I

APPROVAL TO SUBMIT A GRANT APPLICATION AND EXECUTE A GRANT CONTRACT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION UNDER

THEIR 2018 MUNICIPAL AID PROGRAM FOR THE COUNTRY CLUB ROAD IMPROVEMENT PROJECT - SECTION IX

AWARD OF CONTRACT TO REIVAX CONTRACTING CORP. FOR THE BWT-3 ROAD IMPROVEMENT PROJECT - DOW ROAD (FROM COUNTRY CLUB TO MADISON AVENUE) AND ROOSEVELT STREET EAST (ENTIRE LENGTH FROM COUNTRY CLUB TO THE EASTERLY END), IN THE SUM OF \$273,087.30, FUNDED THROUGH THE 2017 CAPITAL FUND

AWARD OF CONTRACT TO TOP LINE CONSTRUCTION CORP. FOR THE DRUM HILL ROAD IMPROVEMENT PROJECT, IN THE SUM OF \$280,352.64, FUNDED THROUGH THE 2017 CAPITAL FUND

AWARD OF CONTRACT TO REIVAX CONTRACTING CORP. FOR THE HAUCK ROAD IMPROVEMENT PROJECT (FROM ALLETRA AVENUE TO GREGORY AVENUE), IN THE SUM OF \$252,855.72, FUNDED THROUGH THE 2017 CAPITAL FUND

AWARD OF CONTRACT TO REIVAX CONTRACTING CORP. FOR THE BWT-2 ROAD IMPROVEMENT PROJECT - DONOHUE ROAD (FROM THOMPSON AVENUE TO ROUTE 22) AND THE ENTIRE LENGTH OF KRAMS TRAIL, IN THE SUM OF \$413,166.40, FUNDED THROUGH THE 2017 CAPITAL FUND

AUTHORIZING CHANGE ORDER NO. 1/FINAL CHANGE ORDER DECREASING THE ORIGINAL CONTRACT AMOUNT FROM \$198,996.00 TO \$181,833.11, A DECREASE OF \$17,162.89, AND FINAL PAYMENT TO JTG CONSTRUCTION INC., AND AUTHORIZING ACCEPTANCE OF THE PROJECT, RELEASE OF THE PERFORMANCE BOND AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE CHURCH ROAD IMPROVEMENT PROJECT - SECTION II, FUNDED THROUGH THE 2016 CAPITAL FUND

AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND LTF REAL ESTATE COMPANY, INC. FOR A THREE (3) STORY FITNESS AND WELL BEING FACILITY WITH AN OUTDOOR POOL AREA AT CURRENT BLOCK 411, LOT 39.07, LOCATED AT 600 CORPORATE CENTER BOULEVARD IN THE BRIDGEWATER REGIONAL CORPORATE CENTER ZONE

AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF BRIDGEWATER AND BRIAD DEVELOPMENT, LLC FOR A HOTEL AND RESTAURANT AT BLOCK 411, LOT 39.02, LOCATED AT 100 CORPORATE CENTER BOULEVARD IN THE BRIDGEWATER REGIONAL CORPORATE CENTER ZONE

REQUEST FOR WAIVER OF FIRE PERMIT FEE IN THE AMOUNT OF \$50 FOR SOMERSET AERIE #2137 OF THE FRATERNAL ORDER OF EAGLES IN CONNECTION WITH THEIR REGIONAL JAMBOREE OF EAGLE RIDERS FUNDRAISER EVENT FROM SEPTEMBER 22 THROUGH SEPTEMBER 24, 2017

AUTHORIZING AN AWARD OF CONTRACT TO PILLARI BROTHERS CONSTRUCTION CORP. FOR THE LEGHORN AVENUE SANITARY SEWER REHABILITATION AND RESTORATION PROJECT, IN THE SUM OF \$2,238,888.38 FUNDED THROUGH THE 2016 CAPITAL SEWER FUND

On motion of Councilman Moench, seconded by Councilwoman Rose, the foregoing resolutions were proposed. The vote was as follows:

Councilman Moench	Aye
Councilman Norgalis	Absent
Councilman Pedroso	Aye
Council Vice-President Rose	Aye
Council President Kurdyla	Aye

THE RESOLUTIONS WERE ADOPTED.

Copies of resolutions [#17-09-18-268 thru #17-09-18-281](#) are appended to the official minutes

Adjournment On the motion of Councilman Moench, seconded by Councilwoman Rose, the meeting adjourned at approximately 8:05 p.m.

Respectfully Submitted,

Linda J. Doyle, RMC
Municipal Clerk

Allen Kurdyla
Council President